

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC#: _____
DATE FILED: 1/20/2023

CHEPILKO,

Plaintiff,

-against-

CITY OF NEW YORK, ET AL.

Defendants.

21-cv-11229 (ALC)

ORDER

ANDREW L. CARTER, United States District Judge:

As discussed in the telephonic conference held on January 19, 2023:

- Plaintiff is **GRANTED** leave to file a second amended complaint.
- The Defendants' request for leave to file a motion to dismiss is **DENIED**.
- The Defendants' pending motion to dismiss, ECF No. 14, is **DENIED** as moot.

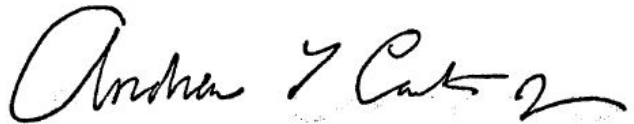
In follow-up from the Conference:

- **February 21, 2023:** Plaintiff is directed to file his second amended complaint.
- **March 3, 2023:** Defendants are ordered to file a letter advising the Court whether they intend to file a renewed motion to dismiss Plaintiff's second amended complaint. If the Defendants still wish to move to dismiss, they will confer with Plaintiff and include a proposed briefing schedule in their letter.

The Clerk of the Court is respectfully directed to terminate ECF No. 14.

SO ORDERED.

**Dated: January 20, 2023
New York, New York**



**ANDREW L. CARTER, JR.
United States District Judge**